



Substitute House Bill No. 5869

Public Act No. 08-152

AN ACT CONCERNING AGRICULTURAL SCIENCE AND TECHNOLOGY EDUCATION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 10-64 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(a) Any local or regional board of education may enter into agreements with other such boards of education to establish a regional [vocational agriculture] agricultural science and technology education center in conjunction with its regular public school system, provided such center shall have a regional [vocational agriculture] agricultural science and technology education consulting committee which shall advise the operating board of education but shall have no legal authority with respect to such center. Such agreements may include matters pertaining to the admission of students, including the establishment of a reasonable number of available program acceptances and the criteria for program acceptance. Each board of education shall appoint to said committee two representatives, who have a competent knowledge of agriculture or aquaculture, as appropriate, and who need not be members of such board.

(b) No new [vocational agriculture] agricultural science and

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technology education center shall be approved by the State Board of Education pursuant to section 10-65 of the 2008 supplement to the general statutes, as amended by this act, during the three-year period from July 1, 1993, to June 30, 1996, except that the State Board of Education may approve such a center if it is to be operated by the board of education of a local or regional school district with fifteen thousand or more resident students, as defined in subdivision (19) of section 10-262f of the 2008 supplement to the general statutes. If a new regional [vocational agriculture] agricultural science and technology education center is established for a school district pursuant to this subsection, any resident student of such school district who, during the school year immediately preceding the initial operation of such center, was enrolled in grades 10 to 12, inclusive, in a regional [vocational agriculture] agricultural science and technology education center operated by another local or regional board of education, may continue to be enrolled in such regional [vocational agriculture] agricultural science and technology education center.

(c) For purposes of this section and sections 10-65 of the 2008 supplement to the general statutes, as amended by this act, and 10-66 as amended by this act, the term ["vocational agriculture"] "agricultural science and technology education" includes vocational aquaculture and marine-related employment.

(d) Any local or regional board of education which does not furnish [vocational agricultural training] agricultural science and technology education approved by the State Board of Education shall designate a school or schools having such a course approved by the State Board of Education as the school which any person may attend who has completed an elementary school course through the eighth grade. The board of education shall pay the tuition and reasonable and necessary cost of transportation of any person under twenty-one years of age who is not a graduate of a high school or vocational school or an

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agricultural science and technology center and who attends the designated school, provided transportation services may be suspended in accordance with the provisions of section 10-233c of the 2008 supplement to the general statutes. Each such board's reimbursement percentage pursuant to section 10-266m for expenditures in excess of eight hundred dollars per pupil incurred in the fiscal year beginning July 1, 2004, and in each fiscal year thereafter, shall be increased by an additional twenty percentage points.

Sec. 2. Section 10-65 of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(a) Each local or regional school district operating [a vocational agriculture] an agricultural science and technology education center approved by the State Board of Education for program, educational need, location and area to be served shall be eligible for the following grants: (1) In accordance with the provisions of chapter 173, through progress payments in accordance with the provisions of section 10-287i, ninety-five per cent of the net eligible costs of constructing, acquiring, renovating and equipping approved facilities to be used for such [vocational agriculture] agricultural science and technology education center, for the expansion or improvement of existing facilities or for the replacement or improvement of equipment therein, and (2) subject to the provisions of section 10-65b, as amended by this act, in an amount equal to one thousand three hundred fifty-five dollars per student for every secondary school student who was enrolled in such center on October first of the previous year.

(b) Each local or regional board of education not maintaining [a vocational agricultural] an agricultural science and technology education center shall provide opportunities for its students to enroll in [such a center] one or more such centers in a number that is at least equal to the number specified in any written agreement with [a

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vocational agricultural center] each such center or centers, or in the absence of such an agreement, a number that is at least equal to the average number of its students that the board of education enrolled in [a vocational agricultural center] each such center or centers during the previous three school years, provided, in addition to such number, each such board of education shall provide opportunities for its students to enroll in the ninth grade in a number that is at least equal to the number specified in any written agreement with each such center or centers, or in the absence of such an agreement, a number that is at least equal to the average number of students that the board of education enrolled in the ninth grade in each such center or centers during the previous three school years. If a local or regional board of education provided opportunities for students to enroll in more than one center for the school year commencing July 1, 2007, such board of education shall continue to provide such opportunities to students in accordance with this subsection. The board of education operating [a vocational agriculture] an agricultural science and technology education center may charge, subject to the provisions of section 10-65b, as amended by this act, tuition for a school year in an amount not to exceed eighty-two and five-tenths per cent of the foundation level pursuant to subdivision (9) of section 10-262f of the 2008 supplement to the general statutes, per student for the fiscal year in which the tuition is paid, except that such board may charge tuition for (1) students enrolled under shared-time arrangements on a pro rata basis, and (2) special education students which shall not exceed the actual costs of educating such students minus the amounts received pursuant to subdivision (2) of subsection (a) of this section and subsection (c) of this section. Any tuition paid by such board for special education students in excess of the tuition paid for non-special-education students shall be reimbursed pursuant to section 10-76g.

(c) In addition to the grants described in subsection (a) of this section, within available appropriations, (1) each local or regional

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board of education operating [a vocational agriculture] an agricultural science and technology education center in which more than one hundred and fifty of the students in the prior school year were out-of-district students shall be eligible to receive, a grant in an amount equal to five hundred dollars for every secondary school student enrolled in such center on October first of the previous year, (2) on and after July 1, 2000, if a local or regional board of education operating [a vocational agriculture] an agricultural science and technology education center that received a grant pursuant to subdivision (1) of this subsection, no longer qualifies for such a grant, such local or regional board of education shall receive a grant in an amount determined as follows: (A) For the first fiscal year such board of education does not qualify for a grant under said subdivision (1), a grant in the amount equal to four hundred dollars for every secondary school student enrolled in its [vocational agriculture] agricultural science and technology education center on October first of the previous year, (B) for the second successive fiscal year such board of education does not so qualify, a grant in an amount equal to three hundred dollars for every such secondary school student enrolled in such center on said date, (C) for the third successive fiscal year such board of education does not so qualify, a grant in an amount equal to two hundred dollars for every such secondary school student enrolled in such center on said date, and (D) for the fourth successive fiscal year such board of education does not so qualify, a grant in an amount equal to one hundred dollars for every such secondary school student enrolled in such center on said date, and (3) each local and regional board of education operating [a vocational agriculture] an agricultural science and technology education center [which] that does not receive a grant pursuant to subdivision (1) or (2) of this subsection shall receive a grant in an amount equal to sixty dollars for every secondary school student enrolled in such center on said date.

(d) (1) If there are any remaining funds after the amount of the

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grants described in subsections (a) and (c) of this section are calculated, within available appropriations, each local or regional board of education operating [a vocational agriculture] an agricultural science and technology education center shall be eligible to receive a grant in an amount equal to one hundred dollars for each student enrolled in such center on October first of the previous school year. (2) If there are any remaining funds after the amount of the grants described in subdivision (1) of this subsection are calculated, within available appropriations, each local or regional board of education operating [a vocational agriculture] an agricultural science and technology education center that had more than one hundred and fifty out-of-district students enrolled in such center on October first of the previous school year shall be eligible to receive a grant based on the ratio of the number of out-of-district students in excess of one hundred and fifty out-of-district students enrolled in such center on said date to the total number of out-of-district students in excess of one hundred and fifty out-of-district students enrolled in all [vocational agriculture] agricultural science and technology education centers that had in excess of one hundred and fifty out-of-district students enrolled on said date.

Sec. 3. Section 10-65a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(a) Each local and regional board of education which operates [a vocational agriculture] an agricultural science and technology education center shall establish and implement a five-year plan to increase racial and ethnic diversity at such center. The plan shall reasonably reflect the racial and ethnic diversity of the area of the state in which the center is located.

(b) Each local and regional board of education which operates [a vocational agriculture] an agricultural science and technology education center shall conduct an annual study to ascertain the

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educational and vocational activities in which graduates of such center are engaged five years after graduation and shall submit the study to the State Board of Education.

Sec. 4. Section 10-65b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

A local or regional board of education [which] that operates a regional [vocational agriculture] agricultural science and technology education center shall provide to each student enrolled in such center all of the student's nonagricultural academic courses, provided [that] any such board which, on or before July 1, 1993, entered into an agreement to offer shared-time arrangements and any such board [which] that operates a regional vocational aquaculture program may offer or continue to offer such shared-time arrangements unless the Commissioner of Education determines that such shared-time arrangements are not in substantial compliance with the provisions of sections 10-64, as amended by this act, and 10-65 of the 2008 supplement to the general statutes, as amended by this act, and any regulations adopted pursuant to section 10-66, as amended by this act. For purposes of this section and said section 10-65 of the 2008 supplement to the general statutes, as amended by this act, "shared-time arrangements" means the enrollment of students in a regional [vocational agriculture] agricultural science and technology education center while such students receive nonagricultural academic courses in a school district under the jurisdiction of a local or regional board of education other than the board of education operating such center.

Sec. 5. Section 10-66 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

The State Board of Education may adopt, in accordance with the provisions of chapter 54, such regulations as are necessary to carry out the purposes of this part and to insure reasonable economy in the

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[vocational agriculture] agricultural science and technology centers.

Sec. 6. Section 10-97 of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(a) The board of education of any town or, where the boards of education of constituent towns have so agreed, any regional school district shall provide the reasonable and necessary transportation, except as provided in section 10-233c of the 2008 supplement to the general statutes, for any student under twenty-one years of age who is not a graduate of a high school or vocational school and who resides with a parent or guardian in such town or regional school district or who belongs to such town, and who attends a state or state-approved vocational secondary school within such local or regional school district as a regular all-day student or as a high school cooperative student, and for any such student who attends any such school in a town other than the town of his residence. When the cost of such transportation out-of-town would exceed the sum of two hundred dollars per year, said board of education may elect to maintain such student in the town where he or she attends such vocational school and for the cost of such maintenance the local or regional school district shall be reimbursed in the same manner and to the same extent as in the case of payment for transportation. Each such board's reimbursement percentage pursuant to section 10-266m of the 2008 supplement to the general statutes, for expenditures in excess of eight hundred dollars per pupil incurred in the fiscal year beginning July 1, 1987, and in each fiscal year thereafter, shall be increased by an additional twenty percentage points.

(b) Any local or regional board of education which does not furnish [vocational agricultural training] agricultural science and technology education approved by the State Board of Education shall designate a school or schools having such a course approved by the State Board of

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Education as the school which any person may attend who has completed an elementary school course through the eighth grade. The board of education shall pay the tuition and reasonable and necessary cost of transportation of any person under twenty-one years of age who is not a graduate of a high school or vocational school and who attends the designated school, provided transportation services may be suspended in accordance with the provisions of section 10-233c of the 2008 supplement to the general statutes. Each such board's reimbursement percentage pursuant to section 10-266m for expenditures in excess of eight hundred dollars per pupil incurred in the fiscal year beginning July 1, 1987, and in each fiscal year thereafter, shall be increased by an additional twenty percentage points.

(c) Any local or regional board of education which transports students to a state or state-approved vocational secondary school, or school furnishing [vocational agricultural training] agricultural science and technology education shall be reimbursed for a portion of such pupil transportation annually in accordance with the provisions of section 10-266m of the 2008 supplement to the general statutes, and the provisions of subsections (a) and (b) of this section relating to reimbursement percentages, provided the reimbursement for transportation costs to a school furnishing vocational agricultural training shall not exceed an amount equal to such reimbursement of the costs of transporting such pupils to the school furnishing a full program of vocational agricultural training nearest to the sending school district at the time of the pupil's initial enrollment in the program. Application for such reimbursement shall be made by the board of education to the State Board of Education at such time and in such manner as said state board prescribes. The provisions of this section shall apply to a veteran who served in time of war, as defined by section 27-103, without regard to age or whether or not such veteran resides with a parent or guardian provided such veteran is attending a state or state-approved vocational secondary school.

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(d) The parents or guardian of any student or any veteran over twenty-one who is denied the reasonable and necessary transportation required in this section may appeal such lack of transportation in the same manner as is provided in sections 10-186 and 10-187.

(e) For purposes of this section, a local or regional board of education shall not be required to expend for transporting a student to a regional vocational-technical school or [a vocational-agriculture] an agricultural science and technology education center an amount greater than six thousand dollars, except that a board of education shall continue to pay the reasonable and necessary costs of transporting a student who is enrolled in such a school or center on July 1, 1996, until such student completes the program at such school or center.

Sec. 7. Section 10-220d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

Each local and regional board of education shall provide full access to regional vocational-technical schools, regional [vocational agriculture] agricultural science and technology education centers, interdistrict magnet schools, charter schools and interdistrict student attendance programs for the recruitment of students attending the schools under the board's jurisdiction, provided such recruitment is not for the purpose of interscholastic athletic competition.

Sec. 8. Subsection (a) of section 10-231b of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(a) No person, other than a pesticide applicator with supervisory certification under section 22a-54 or a pesticide applicator with operational certification under section 22a-54 under the direct supervision of a supervisory pesticide applicator, may apply pesticide

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within any building or on the grounds of any school, other than a regional [vocational agriculture] agricultural science and technology education center. This section shall not apply in the case of an emergency application of pesticide to eliminate an immediate threat to human health where it is impractical to obtain the services of any such applicator provided such emergency application does not involve a restricted use pesticide, as defined in section 22a-47.

Sec. 9. Subsection (a) of section 10-231c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(a) As used in this section, "local or regional board of education" means a local or regional board of education that does not have an integrated pest management plan for the schools under its control that is consistent with an applicable model plan provided by the Commissioner of Environmental Protection under section 22a-66l of the 2008 supplement to the general statutes and "school" means a school, other than a regional [vocational agriculture] agricultural science and technology education center, under the control of a local or regional board of education.

Sec. 10. Subsection (a) of section 10-231d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(a) As used in this section, "local or regional board of education" means a local or regional board of education which has an integrated pest management plan for the schools under its control that is consistent with an applicable model plan provided by the Commissioner of Environmental Protection under section 22a-66l of the 2008 supplement to the general statutes and "school" means a school, other than a regional [vocational agriculture] agricultural science and technology education center, under the control of a local or

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regional board of education.

Sec. 11. Subsection (a) of section 10-264~~l~~ of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(a) The Department of Education shall, within available appropriations, establish a grant program to assist local and regional boards of education, regional educational service centers, the Board of Trustees of the Community-Technical Colleges on behalf of Manchester Community College, and cooperative arrangements pursuant to section 10-158a with the operation of interdistrict magnet school programs. All interdistrict magnet schools shall be operated in conformance with the same laws and regulations applicable to public schools. For the purposes of this section "an interdistrict magnet school program" means a program which (1) supports racial, ethnic and economic diversity, (2) offers a special and high quality curriculum, and (3) requires students who are enrolled to attend at least half-time. An interdistrict magnet school program does not include a regional [vocational agriculture] agricultural science and technology school, a regional vocational-technical school or a regional special education center. On and after July 1, 2000, the governing authority for each interdistrict magnet school program that is in operation prior to July 1, 2005, shall restrict the number of students that may enroll in the program from a participating district to eighty per cent of the total enrollment of the program. The governing authority for each interdistrict magnet school program that begins operations on or after July 1, 2005, shall (A) restrict the number of students that may enroll in the program from a participating district to seventy-five per cent of the total enrollment of the program, and (B) maintain such a school enrollment that at least twenty-five per cent but not more than seventy-five per cent of the students enrolled are pupils of racial minorities, as defined in section 10-226a.

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Sec. 12. Subdivision (2) of section 10-282 of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(2) "Secondary school building" means any public school building designed to house any combination of grades seven through twelve or any regional [vocational agriculture] agricultural science and technology education center established under the provisions of part IV of chapter 164, and may also include any separate combination of grades five and six or grade six with grades seven and eight in a program approved by the State Board of Education when the use of special facilities generally associated with secondary schools is an essential part of the program for all grades included in such school.

Sec. 13. Subdivision (15) of section 10-282 of the 2008 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(15) ["Vocational agriculture"] "Agricultural science and technology education" includes vocational aquaculture and marine-related employment.

Sec. 14. Subdivision (4) of subsection (a) of section 10-286 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(4) In the case of a regional [vocational agriculture] agricultural science and technology education center or the purchase of equipment pursuant to subsection (a) of section 10-65 of the 2008 supplement to the general statutes, as amended by this act, or a regional special education facility pursuant to section 10-76e, an amount equal to the eligible cost of such project, as determined by the Commissioner of Education.

Sec. 15. Subsection (a) of section 10-287 of the 2008 supplement to

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the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

(a) A grant for a school building project under this chapter to meet project costs not eligible for state financial assistance under section 10-287a shall be paid in installments, the number and time of payment of which shall correspond to the number and time of principal installment payments on municipal bonds, including principal payments to retire temporary notes renewed for the third and subsequent years pursuant to section 7-378a of the 2008 supplement to the general statutes or 7-378e, issued for the purpose of financing such costs and shall be equal to the state's share of project costs per principal installment on municipal bonds or notes, except in cases where the project has been fully paid for, in which case the number of installments shall be five or, in the case of a regional [vocational agriculture] agricultural science and technology education center or a cooperative regional special educational facility, shall be one; provided final payment shall not be made prior to an audit conducted by the State Board of Education for each project for which a final calculation was not made prior to July 31, 1983. Grants under twenty-five thousand dollars shall be paid in one lump sum. The Commissioner of Education shall certify to the State Comptroller, upon completion of the issuance of bonds or such renewal of temporary notes to finance each school building project, the dates and amounts of grant payments to be made pursuant to this chapter and the State Comptroller shall draw an order on the State Treasurer upon such certification to pay the amounts so certified when due. All site acquisition and project cost grant payments shall be made at least ten days prior to the principal payment on bonds or temporary notes related thereto or short-term financing issued to finance such site acquisition or project. Annual grant installments paid pursuant to this section on principal installment payments to retire temporary notes renewed pursuant to section 7-378a of the 2008 supplement to the general statutes or 7-378e

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shall be based each year on the amount required to be retired pursuant to said sections, as adjusted for any ineligible project costs, and shall be paid only if at the time such temporary notes are renewed the rate of interest applicable to such notes is less than the rate of interest that would be applicable with respect to twenty-year bonds if issued at the time of such renewal. The determination related to such rates of interest pursuant to this subsection may be reviewed and shall be subject to approval by the Commissioner of Education prior to renewal of such notes. In the event that a school building project is not completed at the time bonds or temporary notes related thereto are issued to finance the project, the certification of the grant payments made pursuant to this section by the Commissioner of Education may be based on estimates, provided upon completion of such project and notification of final acceptance to the state, the Commissioner of Education shall adjust and recertify the dates and amounts of subsequent grant payments based on the state's share of final eligible costs.

Sec. 16. Section 10-288a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2008*):

When the secondary school with which an approved [vocational agriculture] agricultural science and technology education center has been associated is to be replaced or relocated within a town or regional school district, the Commissioner of Education may require the relocation of the equipment and program in a building approximately equal to that serving as a center for [vocational agriculture] agricultural science and technology education. Such new facilities shall be included in or adjacent to the high school which is to serve the needs of the [vocational agriculture] agricultural science and technology education pupils and shall conform to requirements of the Commissioner of Education with respect to location, design and construction. Said town or regional school district may receive a grant

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for the construction of such replaced or relocated [vocational agriculture] agricultural science and technology education center as provided in subsection (e) of section 10-286 for a secondary regional school district or subsection (f) of section 10-286, whichever may be appropriate. Upon final approval by the Commissioner of Education of the replacement or relocation of such [vocational agriculture] agricultural science and technology education center the town or regional school district may use the facilities which had previously served as such center for such purposes as it determines advisable.

Approved June 12, 2008